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C O N F I D E N T I A L KUWAIT 001304

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E.O. 12958: DECL: 08/26/2017  
TAGS: [ETRD](#) [ECON](#) [KIPR](#) [KU](#)  
SUBJECT: ARABIAN ANTI-PIRACY ALLIANCE AND KUWAIT CUSTOMS DG  
CLAIM MAJOR PROGRESS ON IPR ENFORCEMENT

REF: KUWAIT 642

Classified By: CDA Alan Misenheimer for reasons 1.4 (b) and (d).

11. (SBU) On August 22, Commercial Counselor and Econoff met with Scott Butler, CEO of the Dubai-headquartered Arabian Anti-Piracy Alliance (AAA). Butler was accompanied by Albert Marshall, Legal and Business Affairs Manager for Sony Computer Entertainment Europe, who was making a tour of the Gulf region. AAA supports regional intellectual property rights (IPR) efforts on behalf of the Motion Picture Association of America, the Business Software Alliance, and a number of international record labels. The AAA branch in Kuwait, which employs two former police officers from the Ministry of Interior, works with local licensed distributors to identify vendors selling pirated goods. AAA then encourages the relevant government agency (the Information Ministry, Commerce Ministry, Kuwait Customs, or police, depending on the nature of the case) to carry out raids, pursue prosecution, and close down vendors selling illegal media.

12. (SBU) Butler remarked that in the past year, AAA has noted positive trends in both the number of raids and the number of shops being closed for CD and DVD piracy. According to Butler, Kuwait has demonstrated more progress than any other state in the GCC in terms of enforcement activity. He said he would advocate to have Kuwait taken off the Special 301 Watch List as soon as the GOK passes an effective copyright law, produces more convictions with deterrent sentences, and expands its raids and prosecutions to include purveyors of illegally produced business software. Butler said beyond current efforts to protect over-the-counter digital media, AAA plans to expand its activities to reduce internet piracy and satellite television piracy.

13. (C) On August 26, Charge d'Affaires met with Director General of Kuwait Customs Ibrahim Al-Ghanem. Al-Ghanem expressed his frustration that despite a sharp increase in fines for IPR violations and in the number of raids and seizures of contraband media, Kuwait remained on the Special 301 Watch List this year, while the UAE, which Al-Ghanem characterized as a much bigger source of IPR violations, was not placed on the Watch List. Al-Ghanem insisted that the USG must do more to pressure countries like Dubai, China, and Pakistan, which, according to Al-Ghanem are the sources of much of the contraband material that ends up in Kuwait. Al-Ghanem praised the strength of the long-standing relationship between Kuwait Customs and U.S. Customs and expressed his support for an expansion of bilateral training opportunities. He indicated his frustration that after working for seven years on establishing a Customs Mutual

Assistance Agreement with the U.S., the signing of this document is once again being delayed due to USG concerns over inconsistencies between the Arabic-language and English-language versions. Al-Ghanem pledged, however, that Kuwait Customs would continue to make progress despite the lack of a formal agreement.

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MISENHEIMER